

RENTAL HOUSING FAQs

DRAFT ■ NOVEMBER 3, 2016

These questions and answers are provided as a general guide; for answers related to a specific situation, please contact the appropriate department as identified.

RENTAL REQUIREMENTS

- **I WANT TO RENT MY HOUSE. WHAT DOES THE TOWN REQUIRE?**
 - Prior to renting the house you need to complete the following steps:
 - [Register as a landlord](#) with the Town.
 - Submit a [parking plan](#) for approval.
 - Obtain a rental certificate. Contact the Department of Building and Housing Inspection at Bldg@mansfieldct.org to schedule an inspection.
- **WHY DOES MY HOUSE NEED TO BE INSPECTED EVERY TWO YEARS?**
 - The [Housing Code and Rental Certification program](#) were adopted to ensure the safety and adequacy of rental units. Biannual inspections are required to ensure that the unit is being properly maintained and remains in compliance with housing code requirements.
- **I THINK A PROPERTY IS BEING RENTED. HOW CAN I FIND OUT IF IT HAS A VALID RENTAL CERTIFICATE?**
 - Contact the Department of Building and Housing Inspection at 860.487.4440 or BldgDept@mansfieldct.org.
- **WHAT TYPES OF THINGS ARE COVERED BY THE TOWN'S HOUSING CODE?**
 - General conditions of the structure; light; heat; ventilation; occupancy limits; plumbing; mechanical and electrical equipment; and fire safety.
- **WHAT ISN'T COVERED BY THE HOUSING CODE?**
 - Properties that are owner-occupied;
 - Overgrown grass, landscaping, bushes.
 - Exterior site maintenance issues can only be addressed if they are impacting the interior integrity of the unit.

NEIGHBORHOOD BLIGHT

- **WHO DO I CONTACT IF THERE IS A PROBLEM WITH TRASH AND LITTER IN MY NEIGHBORHOOD?**
 - You can submit a complaint using the Town's QAlert [Citizen Service Request system](#) (Public Works); or
 - Contact the Department of Building and Housing Inspection at 860.487.4440 or BldgDept@mansfieldct.org.

NOISE AND NUISANCES

■ MY NEIGHBORS ARE HAVING A LARGE PARTY AND THE NOISE IS KEEPING MY FAMILY AWAKE. WHO DO I CALL?

- Call 911. Please do not exaggerate the size of the party as that may delay the response time. For example, if you indicate that there is a huge party when the gathering is actually fairly small, multiple troopers will be needed to manage the situation and troopers will not arrive until a sufficient number can be dispatched whereas a single trooper would have been dispatched to the smaller event.
- For small get-togethers or noise complaints, please call 860.429.6024.

■ WHAT CONSTITUTES A NUISANCE?

The [Nuisance Ordinance](#) defines a nuisance as “Any behavior which substantially interferes with the comfort or safety of other residents or occupants of the same or nearby buildings or structures. Conduct of a person or persons on any premises in a manner which is a violation of law, or which creates a disturbance of the quiet enjoyment of private or public property, may constitute a nuisance. Such behavior includes disorderly, indecent, tumultuous or riotous conduct. Unlawful conduct includes, but is not limited to, individually or in combination with other misbehavior, excessive pedestrian and vehicular traffic, obstruction of public streets by crowds or vehicles, illegal parking, the service of alcohol to underage persons, underage drinking, fights, creating a public disturbance, breach of the peace, trespassing, disorderly conduct, littering, simple assault, threatening, harassment, illegal burning or use of fireworks, urinating or defecating in public, lewdness, criminal mischief, crimes against property, or excessive noise. The knowing failure of any tenant to act responsibly to require any resident of the same premises or guest on his or her rented premises or adjacent premises with the consent of the tenant or his or her co-resident to refrain from behavior constituting a nuisance under this article shall itself be a nuisance.”

■ WHY AM I BEING FINED BECAUSE MY TENANTS THREW A PARTY?

- As the property owner, you are responsible for ensuring that your property is used in accordance with all Town ordinances and regulations. Property owner citations are only issued if there have been nuisance tickets issued for multiple events within the timeframes identified in the [Nuisance Ordinance](#). You will be notified upon issuance of the first nuisance citation. The purpose of this notification is to provide you with an opportunity to address the situation with your tenants. However, in some cases, additional nuisance citations may be issued before we have a chance to send out a property owner notification. Regardless of whether you received the initial notification, you are still liable for the property owner fines that will be levied upon the second citation. The best way to avoid this is to have strong lease language regarding acceptable behavior and to regularly monitor the property and tenants.
- If the Town becomes aware of a planned party that is likely to become a nuisance, we will reach out to property owners and ask that they address the situation with the tenants before it becomes a problem.

- **WHY DID I GET A NUISANCE CITATION WHEN IT WAS MY ROOMMATES THAT THREW THE PARTY?**

As a resident of the property, you are responsible for ensuring that you and your co-residents comply with all applicable laws and regulations. If you are aware that a party your roommates have planned has the potential to become a nuisance and you fail to prevent it, that failure is in itself deemed to be a nuisance. Similarly, if you are present and fail to stop nuisance behavior once it has commenced, that is also deemed to be a nuisance.

PARKING

- **WHAT ARE THE RULES WITH REGARD TO ON-STREET PARKING?**

- On-street parking is permitted unless otherwise signed for no parking.
- On-street parking between the hours of midnight and 6:00 a.m. is prohibited from November 1st through April 15th and at any time when there is an accumulation of snow or ice on the roads.

- **WHO DO I CONTACT IF CARS ARE PARKED ON A NARROW STREET OR BLOCKING THE ROAD?**

- At no times are vehicles allowed to block the traveled way. If cars are creating a situation where it is difficult to get by, please call the police at 860.429.6024.

- **IS THERE A LIMIT TO HOW MANY CARS CAN BE PARKED IN A RENTAL HOUSE?**

- The [Off-Street Parking Ordinance](#) requires a minimum of 2 and a maximum of 6 exterior parking spaces for each dwelling unit, to accommodate residents and guests. These parking spaces must comply with the requirements of the ordinance in terms of size, design and location. The approved parking plan is required to be posted in the dwelling unit.

- **HOW CAN I GET A COPY OF THE APPROVED PARKING PLAN FOR THE RENTAL PROPERTIES ON MY STREET?**

- [Approved parking plans can be downloaded from the Town's document center.](#) Using the pull down menu, select Building Department as the category. Another pull-down menu will appear for sub-categories of documents; select Off Street Parking Requirements from this menu to access copies of [approved off-street parking plans](#).
- If there is not a parking plan for a particular address, contact the Department of Building and Housing Inspection at 860.487.4440 or BldgDept@mansfieldct.org.

- **WHY AM I GETTING A PARKING TICKET FOR PARKING WHERE I LIVE?**

- Most rental units in Mansfield are required to file a [parking plan](#) with the Town and post the approved plan within the unit. Failure to park in accordance with the approved plan may result in the issuance of a parking ticket. The purpose of these plans is to minimize the neighborhood impacts and blight by ensuring safe and orderly parking.

- **HOW DO I CONTEST A PARKING TICKET?**

- Follow the instructions on the back of the ticket. Failure to pay or appeal within 10 days will result in a doubling of the fine.

- **WHY ARE MY TENANTS RECEIVING PARKING TICKETS?**

- Parking tickets are issued when vehicles are not parked according to the approved parking plan. It is your responsibility as a landlord to post and implement the approved

parking plan. Implementation should include educating tenants on authorized parking spaces as well as monitoring the property to ensure your tenants are complying with all of your lease requirements.

MAXIMUM OCCUPANCY

- **I HAVE A FIVE BEDROOM HOUSE. WHY CAN'T I RENT IT TO FIVE PEOPLE?**
 - The definition of family established in the [Mansfield Zoning Regulations](#) limit the number of unrelated individuals that can live in a dwelling unit to 3 unless the residents meet certain exceptions. Rental units that were established prior to August 15, 2010 are allowed a maximum of 4 unrelated individuals. Exceptions to these limits are available for groups that meet the criteria of a functional family as identified in the definition and any groups protected by the “reasonable accommodation” criteria of the Federal Americans with Disabilities Act or Fair Housing Act as described in the definition. The maximum number of unrelated individuals that may live in a specific dwelling unit can be found in the following document: [Rental Unit Occupancy](#). If your unit is not listed, please contact the Zoning Enforcement Officer at planzonedept@mansfieldct.org.
- **HOW ARE OCCUPANCY REGULATIONS ENFORCED?**
 - The definition of family established in the [Mansfield Zoning Regulations](#) limits the number of unrelated individuals that can live in a dwelling unit to 3. Rental units that were established prior to August 15, 2010 are allowed a maximum of 4 unrelated individuals. Exceptions to these limits are available for groups that meet the criteria of a functional family as identified in the definition and any groups protected by the “reasonable accommodation” criteria of the Federal Americans with Disabilities Act or Fair Housing Act as described in the definition. The maximum number of unrelated individuals that may live in a specific dwelling unit can be found in the following document: [Rental Unit Occupancy](#). If your unit is not listed, please contact the Zoning Enforcement Officer at planzonedept@mansfieldct.org.
 - Enforcement Officers conduct both random inspections as well as inspections related to complaints. If you suspect that a neighboring property may exceed the occupancy requirements, please contact the Zoning Enforcement Officer at BldgDept@mansfieldct.org.
 - Unless we have a complaint from tenants regarding living conditions or the property is scheduled for its biannual certificate renewal inspection, we do not have the right to enter the dwelling to look for evidence of overcrowding. As such, our primary enforcement mechanism is to determine whether the same vehicles are parked at the property on multiple days.
- **I AM LOOKING TO LEASE AN APARTMENT WITH FRIENDS AND I HEARD THE TOWN HAS RULES ON HOW MANY ROOMATES ARE ALLOWED. HOW CAN I FIND OUT IF THE HOUSE WE PLAN ON RENTING CAN ACCOMMODATE ALL OF US?**

- The Town maintains a [list of allowable maximum occupancy](#) for each rental unit. This list is updated monthly and can be accessed at <http://www.mansfieldct.org/3or4nomore>.
- **I WANT OVERNIGHT GUESTS, HOW LONG CAN THEY STAY WITHOUT US BEING SUBJECT TO OVER-CROWDING ENFORCEMENT?**
 - While the occasional overnight guest is permitted, when guests routinely spend the night (3 or more nights per week) they are deemed to be residents for the purpose of determining compliance with occupancy requirements.

LANDLORD/TENANT ISSUES

- **I HAVE PROBLEMS WITH THE CONDITION OF MY DWELLING THAT AREN'T BEING ADDRESSED BY MY LANDLORD. HOW DO I FILE A COMPLAINT?**
 - You can file a [complaint](#) with the Department of Building and Housing Inspections. For more information, call 860.487.4440 or email BldgDept@mansfieldct.org.
- **I FILED A LEASE APPLICATION AND WAS DENIED. IS THIS LEGAL?**
 - Housing discrimination is illegal in Connecticut. Specifically, it is against the law to deny anyone housing because of their race, color, national origin, gender, ancestry, religion, children or family status, mental or physical disability, marital status, age (except minors), sexual orientation, gender identity or expression and legal source of income (such as refusing to accept Section 8 vouchers). Groups of people with these characteristics are referred to as “protected classes.” Examples of discriminatory activities against protected classes include:
 - Refusal to rent to you or sell you housing
 - Telling you housing is unavailable when in fact it is available
 - Showing you apartments or homes only in certain neighborhoods
 - Setting different terms, conditions, or privileges for sale or rental of a dwelling
 - Providing different housing services or facilities
 - Advertising housing to preferred groups of people only
 - Refusing to provide you with information regarding mortgage loans, deny you a mortgage loan, or impose different terms or conditions on a mortgage loan
 - Denying you property insurance
 - Conducting property appraisals in a discriminatory manner
 - Refusing to make reasonable accommodations for persons with a disability if the accommodation may be necessary to afford such person a reasonable and equal opportunity to use and enjoy a dwelling
 - Failing to design and construct housing in an accessible manner
 - Harassing, coercing, intimidating, or interfering with anyone exercising or assisting someone else with his/her Fair Housing Rights

If you feel that denial of your rental application was due to discrimination as described above, or if you believe that you have experienced another type of you can [file a complaint](#) with Patricia Schneider, the Town’s Fair Housing Officer. For more information or to make an appointment with the Fair Housing Officer, email humanserv@mansfieldct.org or call 860.429.3315.